United Nations CEDAW/C/PRK/CO/2-4

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined second to fourth periodic reports of the Democratic People's Republic of Korea*

1. The Committee considered the combined second to fourth periodic reports of the Democratic People's Republic of Korea (CEDAW/C/PRK/2-4) at its 1554th and 1555th meetings (see CEDAW/C/SR.1554 and CEDAW/C/SR.1555), held on 8 November 2017. The Committee's list of issues and questions is contained in CEDAW/C/PRK/Q/2-4 and the responses of the Democratic People's Republic of Korea are contained in CEDAW/C/PRK/Q/2-4/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its combined second to fourth periodic reports. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its multisectoral delegation, which was headed by the Ambassador and Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva, Han Tae Song, and included representatives of the Presidium of the Supreme People's Assembly, the Central Court, the Commission of Education, the Ministry of Public Health, the Ministry of Foreign Affairs and the Permanent Mission of Democratic People's Republic of Korea to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2005 of the State party's initial report (CEDAW/C/PRK/1) in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its sixty-eighth session (23 October–17 November 2017).

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(a) Law on the Protection and Promotion of the Rights of Women, in 2010;

(b) Law on the Protection and Promotion of the Rights of Children, in 2010;

(c) Law on Labour Protection, in 2010, providing for measures for pregnant women, including increased maternity leave and breastfeeding breaks;

(d) Social Security Law, in 2008, making social security benefits available to women.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, including the establishment of a national committee for implementing international human rights treaties, in 2015.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified the following international instruments:

(a) Convention on the Rights of Persons with Disabilities, in 2016;

(b) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in 2014.

7. The Committee recalls the importance of Sustainable Development Goal 5, to achieve gender equality and empower all women and girls, and commends the State party on its efforts to implement sustainable development policies, including its taking of measures to address climate change.

C. Factors and difficulties preventing the effective implementation of the Convention

8. The Committee notes that the economic sanctions imposed by the international community as a consequence of the State party's policies have a disproportionate impact on women. The Committee reminds the State party of its obligations to take all appropriate measures to respect, protect and promote women's human rights in all circumstances and in that regard implement the recommendations contained herein as a matter of high priority for national mobilization and international support.

D. Parliament

9. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the Supreme People's Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

E. Principal areas of concern and recommendations

Visibility of the Convention and the Committee's general recommendations

10. The Committee welcomes the creation of a national committee for implementing international human rights treaties, in 2015, and recommends that the State party ensure that it gives adequate visibility to the Convention and the

Committee's general recommendations and implements the present concluding observations promptly.

Legislation and discriminatory laws

11. The Committee regrets that the State party's laws are not publicly available, which would allow for constructive criticism and independent monitoring, and is concerned about:

(a) The absence of legislation that provides for a comprehensive definition of discrimination against women, encompassing direct and indirect discrimination in the public and private spheres, in line with article 1 of the Convention;

(b) The State party's position that the diverging minimum age of marriage for men at 18 years and women at 17 years is not in conflict with the Convention, as it reflects traditional customs;

(c) The Law on the Protection and Promotion of the Rights of Women, as well as the Family Law, which are focused on reconciliation rather than the prosecution of perpetrators of gender-based violence against women;

(d) Provisions in laws or directives limiting women's access to some studies and professions based on women's characteristics as defined by the State party and establishing different retirement ages for women and men.

12. **The Committee, recalling its previous concluding observations (CEDAW/C/PRK/CO/1, para. 24), recommends that the State party:**

(a) **Adopt and apply a comprehensive definition of discrimination against women in its legislation that is in line with article 1 of the Convention, so as to ensure that women are protected against direct and indirect discrimination in all spheres of life;**

(b) **Increase the minimum age of marriage to 18 years;**

(c) **Ensure that the provisions concerning reconciliation among spouses in the Law on the Protection and Promotion of the Rights of Women and the Family Law are not used as a basis to dismiss prosecutions, especially in cases of domestic violence and sexual offences;**

(d) **Review its legislation to identify and amend provisions that are discriminatory towards women, including with regard to access to education and employment, social and labour rights;**

(e) **Take measures to make its laws, directives and regulations publicly available, including on the national intranet and the Internet.**

Access to justice

13. The Committee remains concerned about the State party's continued prioritization of reconciliation and mediation in family disputes and divorce cases (CEDAW/C/PRK/2-4, para. 64), which may not afford adequate protection to women who are victims of domestic violence and result in impunity for perpetrators. The Committee takes note of the information provided by the State party that there were no discrimination-related cases brought before the courts after the adoption of the Law on the Protection and Promotion of the Rights of Women and regrets the lack of information on the availability of legal aid for women and on the number of women having benefited from the Law on Compensation for Damages, of 2005, which

includes compensation for bodily injury. The Committee is concerned about the lack of an independent complaint mechanism for women's human rights violations and about women's non-awareness of their rights.

14. **The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:**

(a) **Take measures, including awareness-raising and capacity-building programmes for all justice system personnel and law students, to eliminate gender stereotyping, incorporate a gender perspective into all aspects of the justice system and ensure the application of international legal instruments, including the Convention;**

(b) **Ensure that victims/survivors of gender-based violence against women have access to justice and to an effective remedy, in line with the guidance provided in general recommendation No. 33, and are not referred to alternative dispute resolution procedures, including mediation and reconciliation;**

(c) **Ensure the availability of legal assistance services to women in a timely, continuous and effective manner at all stages of judicial or quasi-judicial proceedings, including in alternative dispute resolution mechanisms such as reconciliation efforts;**

(d) **Provide and enforce appropriate and timely remedies for discrimination against women and ensure that women have access to all available judicial and non-judicial remedies;**

(e) **Enhance women's awareness of their rights and their legal literacy in all areas covered by the Convention, so as to enable them to claim their rights.**

National machinery for the advancement of women

15. The Committee notes with concern:

(a) That women are underrepresented (27.3 per cent) on the National Committee for Implementing International Human Rights Treaties and that there is an absence of information on the women's rights expertise of its members;

(b) The delay in the adoption of a comprehensive plan of action to promote gender equality and mainstream gender at all levels and in all areas, as previously recommended;

(c) The lack of detailed and publicly available information on recommendations made by the National Committee to government entities, including the Presidium of the Supreme People's Assembly, regarding women's rights;

(d) The absence of information regarding policy guidance provided to State-affiliated institutions and the Korean Democratic Women's Union to increase and advance gender equality and non-discrimination on the basis of sex.

16. **The Committee recommends that the State party:**

(a) **Ensure adequate visibility and resources for the National Committee for Implementing International Human Rights Treaties to enable it to promote women's rights effectively;**

(b) **Ensure the equal representation of women on the National Committee and that its members have relevant expertise in the field of women's rights;**

(c) Develop, adopt and implement a comprehensive plan of action to promote women's rights and gender equality and monitor and assess its impact to ensure that it achieves its goals and targets;

(d) Provide policy guidance on women's rights and the Convention to State-affiliated institutions and the Korean Democratic Women's Union to advance gender equality in all areas of society;

(e) Make available information on the recommendations made by the National Committee regarding women's rights and the implementation of the Convention and on the follow-up to those recommendations.

National human rights institution

17. The Committee remains concerned about the absence of an independent national human rights institution with a mandate and the human, technical and financial resources to monitor the State party's implementation of its obligations under the Convention.

18. **The Committee recommends that the State party establish, within a clear time frame, an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with a broad mandate to promote and protect the human rights of women and gender equality. It invites the State party to seek the support and advice of the Office of the United Nations High Commissioner for Human Rights in that regard.**

Civil society and non-governmental organizations

19. The Committee notes that civil society associations and unions are State-affiliated institutions responsible for assisting the State party to implement public policies. It is concerned about the absence of autonomous women's human rights organizations that would independently promote, monitor, evaluate and advocate the advancement of women's rights in the State party.

20. **The Committee recommends that the State party take measures to create an enabling environment in which women's civil society groups and non-governmental organizations may be freely established and work independently from State institutions on women's rights and gender equality, independently monitor the women's rights situation and advocate with the public authorities in relation to measures to implement women's rights and the Convention.**

Temporary special measures

21. The Committee notes the efforts of the State party, in particular the special measures establishing a minimum proportion of women in each category of employment, but is concerned that the measures result in the segregation of targeted posts. It is also concerned about the lack of special measures to ensure the representation of women in high-level posts across the executive, legislative and judicial branches.

22. **The Committee recommends that the State party:**

(a) In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, set time-bound targets and allocate sufficient resources for the implementation of

temporary special measures, such as quotas and other proactive measures, accompanied by sanctions for non-compliance, with a view to achieving substantive equality of women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, such as tertiary education, the judiciary, security and police forces and leadership and managerial positions in all non-traditional areas of work;

(b) **In line with article 5 of the Convention, review the special measures establishing the minimum proportion of women in each category of employment with a view to correcting the stereotyped segregation of posts.**

Stereotypes

23. The Committee remains concerned that the State party's approach to women's rights reflects a protectionist attitude that reinforces cultural and social values ascribing a particular role to women as caregivers and subservient to men and does not result in the substantive equality required under the Convention. The Committee is also concerned about the persistence of discriminatory stereotypes with regard to the roles and responsibilities of women and men in the family and in society, which confine women to the "mission" in "society and family" of "upbringing and education of children" and make them responsible for maintaining the family unit, often at the expense of their physical safety and emotional well-being. This has an impact on women throughout their life cycle, including the education that they receive, which for the vast majority ends at the secondary level, and the fields of study and career paths that they are allowed or encouraged to choose, and limits their economic opportunities.

24. **The Committee calls the attention of the State party to the fact that the elimination of patriarchal attitudes and discriminatory stereotypes must be led by its high-level public officials and recommends that the State party:**

(a) **Put in place, without delay, a comprehensive strategy, with proactive and sustained measures targeting women and men at all levels of society, to eliminate discriminatory stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and in society, which should include information and awareness-raising campaigns and mandatory education on women's rights and gender equality at all education levels;**

(b) **Use innovative measures targeting the media to strengthen understanding of the substantive equality of women and men and to enhance positive and non-stereotypical portrayals of women in all areas, with special emphasis on the education system;**

(c) **Establish a baseline and clear indicators to measure the progress made as a result of such strategies and inform the Committee about that progress in its fifth periodic report.**

Gender-based violence against women

25. The Committee notes that the Law on the Protection and Promotion of the Rights of Women, while prohibiting gender-based violence against women, does not provide for victim protection and support measures or for criminal liability of perpetrators. The Committee is also concerned about:

(a) The lack of effective application of the legislation in practice and the lack of information about measures taken by the State party to tackle all forms of gender-based violence against women and girls;

(b) The lack of information on the incidence of gender-based violence against women, including domestic violence and sexual violence, which prevents the State party from taking the measures necessary to address such violence;

(c) The contradicting definitions of rape in the Criminal Code, the fact that marital rape is not criminalized and the fact that the penalties for rape are not commensurate with the severity of the crime. In that regard, the Committee regrets that, in revising the Criminal Code in 2012, the State party reduced the penalties for some forms of rape, including rape of children, rape by a work supervisor and repeated rape;

(d) The prevalence of domestic violence against women, the very limited awareness and information about the issue and the lack of protective measures, including legal services, psychosocial support and shelters, available to women who are victims/survivors, including when applying for divorce on the grounds of violence. The Committee is also concerned about the limited information available regarding cases of domestic violence filed with the courts, which is indicative of overall indifference and unresponsiveness, on the part of the police and the judiciary, to this crime.

26. **Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, as well as target 5.2 of the Sustainable Development Goals, on the elimination of all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, the Committee recommends that the State party:**

(a) **Review the Law on the Protection and Promotion of the Rights of Women to ensure that all forms of gender-based violence against women in all spheres are criminalized and provide for the protection of and support for women and girls who are victims/survivors of gender-based violence;**

(b) **Review the provisions of the Criminal Code regarding rape to ensure that they include a punishment commensurate with the harm caused, including with regard to women and girls in vulnerable situations, such as in the workforce and during childhood or adolescence;**

(c) **Ensure that sexual assault, including rape and forced intercourse, is characterized as a crime against the right to personal security and physical, sexual and psychological integrity and that the definition of sexual crimes, including marital and acquaintance rape, is based on the lack of freely given consent and takes into account coercive circumstances;**

(d) **Ensure effective access for victims to courts and tribunals and that the authorities adequately respond to all cases of gender-based violence against women, including by applying criminal law to bring alleged perpetrators to trial in a fair, impartial, timely and expeditious manner and imposing adequate penalties;**

(e) **Intensify its efforts to combat violence in family relations, namely by promoting knowledge and awareness of women's rights, take measures to provide women who are victims/survivors with adequate legal and psychosocial**

support and access to safety, such as shelters, and destigmatize victims/survivors;

(f) **Strengthen its training and capacity-building programmes for the judiciary and the police to develop awareness of and sensitivity to situations of violence against women and provide adequate support to women who are victims/survivors, including by assisting them through the complaint procedure.**

Trafficking and exploitation of prostitution

27. The Committee is concerned about the absence of legal provisions that criminalize trafficking in persons and of measures to identify and protect women who are victims. It is also concerned about the economic situation of women who seek to work abroad and fall prey to trafficking networks, given the restrictions on leaving the territory of the State party, which increases the risk they will be subjected to forced marriage, that their children will be stateless and that they will be exploited in forced labour and prostitution. The Committee is further concerned that, upon repatriation, women who are victims of trafficking are reportedly sent to labour training camps or prisons, on the charge of "illegal border crossing", and may be exposed to further violations of their human rights, including sexual violence by security officials and forced abortions.

28. **The Committee recommends that the State party:**

(a) **Adopt legislation to criminalize trafficking in persons in accordance with international standards and decriminalize and provide adequate protection and support for women who are victims of trafficking;**

(b) **Address the root causes of trafficking and exploitation of women by improving the economic situation of women;**

(c) **Ensure that repatriated women who are victims of trafficking receive appropriate support and are not punished or sent to labour camps or prisons and that pregnant women are not subjected to forced abortions;**

(d) **Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.**

Participation in political and public life

29. The Committee remains concerned that the representation of women in high-level posts, the Supreme People's Assembly, local assemblies, the Ministry of Foreign Affairs, higher education, the judiciary and the security and police forces remains extremely weak. The Committee is also concerned about the weakness of civil society with regard to women's human rights.

30. **The Committee recommends that the State party:**

(a) **Adopt measures, with a defined time frame and targets, including temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25, such as statutory quotas for women's representation in the Supreme People's Assembly, local assemblies, ministries, the diplomatic service, academic institutions and the judiciary, and increase the recruitment of women to the security and police forces, with a view to accelerating their participation in political and public life;**

(b) **Raise awareness among politicians, the media, traditional leaders and the public that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the effective implementation of the Convention, as well as the political stability and economic development of the country;**

(c) **Strengthen and support feminist movements for the protection and promotion of women's rights.**

Nationality

31. The Committee welcomes the State party's withdrawal of its reservation to article 9 (2) of the Convention on granting women equal rights with regard to the nationality of their children. The Committee is concerned, however, about the lack of information on the revision of national legislation in that regard and the remedial measures to retroactively grant nationality to stateless children of women who are nationals of the State party. The Committee notes that women who are nationals of the State party living in China can transmit their nationality to their children, in accordance with the *jus sanguinis* rule, but is concerned that, reportedly, many choose not to register their children for fear of being forcibly repatriated to the State party's territory.

32. **The Committee recommends that the State party review its legislation to ensure compliance with the Convention in matters concerning nationality and to take retroactive measures for women who are nationals of the State party whose children are stateless. The Committee also recommends that the State party review its bilateral agreements to ensure that children born to women who are nationals of the State party but residing outside its territory have access to birth registration and nationality without the children or their mothers being forcibly returned to the State party's territory by third States.**

Education

33. The Committee commends the State party on introducing a universal and compulsory 12-year education programme and on achieving near-universal literacy. The Committee is concerned, however, that the education system does not adequately address deep-rooted gender stereotypes. In particular, the Committee notes with concern the low number of girls assuming the class president role and the reported incidence of sexual harassment in schools. The Committee is further concerned about the overall low number of women pursuing tertiary education, in particular in non-traditional fields of study, which limits their access to the employment market and their opportunities therein.

34. **The Committee recommends that the State party:**

(a) **Enhance training for teachers on women's rights and gender equality and ensure that textbooks adequately reflect the historic roles and contributions of women;**

(b) **Promote the participation of girls in school activities on an equal basis with boys, including as class presidents and in other leadership roles;**

(c) **Enhance efforts to overcome gender segregation in higher education by according priority to eliminating traditional stereotypes and structural barriers that may deter girls from enrolling in traditionally male-dominated fields of study, such as science and technology, provide girls with career**

counselling on non-traditional career paths and encourage girls to participate in non-stereotypical vocational training;

(d) **Strengthen cooperation with the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund for the implementation of Sustainable Development Goal 4, to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.**

Employment

35. The Committee commends the State party on the measures taken to promote women's access to employment and the amendment of the Law on Socialist Labour and the Law on the Protection and Promotion of the Rights of Women in 2015 to extend the period of maternity leave from 150 to 240 days. Nonetheless, the Committee is concerned about:

(a) The continued sex-segregation of the workforce, with labour laws and directives assigning specific jobs to women while impeding their access to others, based on perceived characteristics of women as a group and not taking into consideration the individual potential of each woman and impeding the achievement of gender equality at work;

(b) Women's continued limited access to senior positions;

(c) Women's retirement age being set at 55 years, compared with 60 years for men, and its consequences for their pension benefits, economic independence and access to decision-making positions;

(d) The absence of statistics on equal pay;

(e) The absence of paid or unpaid paternity leave.

36. **The Committee recommends that the State party:**

(a) **Review its labour laws and policies, including occupational tables, that restrict the participation of women in the labour market or assign low-paid jobs to women, with a view to ending gender segregation at work;**

(b) **Promote the participation of women in managerial and leadership positions, including by adopting temporary special measures such as quotas or fast-track selection processes;**

(c) **Review its labour laws to harmonize the retirement age and thus give women greater employment opportunities and equal pension benefits;**

(d) **Make statistics on equal pay regularly available;**

(e) **Promote the equal sharing of family and domestic responsibilities between women and men, including by introducing compulsory paternity or shared parental leave following childbirth.**

Sexual harassment in the workplace

37. The Committee is concerned about the lack of recognition given by the State party to the assumable high incidence of sexual harassment and sexual violence against women in the workplace, the absence of legislation specifically criminalizing sexual harassment in the workplace and the lack of complaint mechanisms and protection services with trained personnel to support women seeking redress. The Committee is also concerned that, in the most recent revision of the Criminal Code,

in 2012, the State party reduced the punishment for forcing a woman in a subordinate position to have sexual intercourse from four to three years.

38. **The Committee recommends that the State party adopt legislation to specifically define and criminalize sexual harassment in the workplace, develop a confidential, independent and safe system for filing complaints relating to sexual harassment and sex-based discrimination in the workplace and ensure that victims have effective access to means of redress, including adequate punishment of perpetrators. The Committee also recommends that the State party review its Criminal Code to criminalize and punish rape, including forced intercourse, in the workplace with the same penalty as rape, ensuring that its definition is based on the lack of freely given consent and takes into account coercive circumstances.**

Health

39. The Committee notes that the Constitution guarantees universal and free health care and it welcomes the measures taken to promote women's health and reduce maternal mortality. The Committee is concerned, however, about the high levels of malnutrition among women, in particular pregnant and lactating women, 28 per cent of whom are undernourished. It is also concerned about the limited availability of modern contraceptive methods and the fact that information and counselling on family planning is not systematically available to unmarried people throughout the State party. The Committee is further concerned about the insufficient incorporation of age-appropriate education on sexual and reproductive health into school curricula. The Committee notes the information provided by the State party that there are no reported cases of HIV in its territory, but is concerned that treatment is available only to women travelling abroad.

40. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to end malnutrition among women and girls, in particular pregnant and lactating women;**

(b) **Ensure access to counselling and age-appropriate education on sexual and reproductive health and rights for adolescent girls and boys, conduct awareness-raising campaigns about modern contraceptive methods and increase access to safe and affordable contraceptives;**

(c) **Integrate into school curricula age-appropriate education on sexual and reproductive health to ensure that girls and boys have access to accurate information about their sexual and reproductive health and rights, including responsible sexual behaviour and prevention of early pregnancy and sexually transmitted infections, while also addressing negative stereotypes and discriminatory attitudes with regard to the sexuality of adolescents, with a view to ensuring that these do not interfere with access to information and education on sexual and reproductive health and rights;**

(d) **Develop and implement specific information and awareness-raising campaigns on HIV/AIDS and responsible sexual behaviour and provide access to adequate treatment, including free antiretroviral medicines, for women and girls living with HIV/AIDS.**

Rural women

41. The Committee notes the measures taken by the State party to encourage the education of women in rural areas, which is reflected in the increase in the number of those women in local government positions and agricultural-related institutions and enterprises. The Committee is concerned, however, about the persistently low number of women from rural communities attending university and their limited professional options, limited access to health services and safe drinking water and sanitation, limited knowledge and awareness about their rights and exposure to discriminatory traditional culture and norms.

42. **The Committee recommends that the State party:**

(a) **In the context of article 4 of the Convention, take measures to promote and encourage girls and women in rural areas to pursue university education and to provide career guidance and academic counselling programmes on the options available, including in non-traditional fields of study;**

(b) **Strengthen its efforts to provide access to health services, safe drinking water and sanitation for women in rural areas;**

(c) **Enhance rural women's knowledge and awareness of their rights and the remedies available to them to claim violations of their rights.**

Women with disabilities

43. The Committee is concerned about the limited information on the situation of women and girls with disabilities in the State party and on the services available, in particular access to education, employment and health care.

44. **The Committee recommends that the State party take measures to collect and analyse information on the situation of women and girls with disabilities, paying particular attention to their access to education, employment and health care, and on the quality of the services available.**

Women in detention and repatriated women

45. The Committee is concerned about the situation of women in detention, who are particularly vulnerable to sexual violence, including rape, by State officials, and about the absence of adequate, independent and confidential complaint mechanisms. The Committee is particularly concerned about reports that repatriated women are detained on the criminal charge of "illegal border crossing" and, in addition to suffering sexual violence, are at risk of death in detention, subjected to forced abortions and deprived of their right to a fair trial.

46. **The Committee urges the State party to protect women in detention from violence, in particular sexual violence, including by:**

(a) **Ensuring that women in detention are supervised by female guards and that all guards are provided with mandatory gender-sensitive training on the dignity and rights of women detainees;**

(b) **Ensuring that gender-sensitive complaint mechanisms are available to women who are victims of sexual and other forms of violence in detention and that all cases of violence against women in detention are effectively investigated and prosecuted;**

(c) **Addressing the situation of repatriated women in detention, including by decriminalizing border crossing and ensuring they are not subjected to invasive body searches, sexual violence and forced abortions and that their rights to life and a fair trial are respected;**

(d) **Providing independent bodies, including international organizations and special procedures mandate holders, with access to all women's detention facilities.**

Marriage and family relations

47. The Committee notes that men apply for divorce more often than women and regrets the lack of information about the underlying causes that could help to understand the imbalance. It also notes with concern that adultery and sexual intercourse outside marriage are criminalized in the State party, which does not legally recognize de facto unions. The Committee is further concerned that adoption procedures may not fully protect the child concerned.

48. **Recalling its general recommendations No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, the Committee recommends that the State party:**

(a) **Study the causes of divorce to identify the consequences of divorce for women and provide them with adequate support when needed;**

(b) **Review its legislation to decriminalize adultery and sexual intercourse outside marriage, ensure the legal protection of women in non-formal unions and ensure respect for the best interests of the child in cases of adoption.**

Data collection and analysis

49. The Committee is concerned about the overall absence of publicly and regularly available data, disaggregated by sex, age and location, which are necessary to assess the impact and effectiveness of policies in all areas of the Convention, in particular regarding discriminatory gender stereotypes, violence against women, women's participation in political and public life, education, employment, economic empowerment and access to health.

50. **The Committee recommends that the State party:**

(a) **Develop and implement systems for the collection, analysis and dissemination of comprehensive data disaggregated by sex, age and location;**

(b) **Use measurable indicators to assess trends in the situation of women and progress made towards the realization of women's substantive equality in all areas covered by the Convention, taking into consideration the Committee's general recommendation No. 9 (1989) on statistical data concerning the situation of women in that regard.**

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

51. **The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

52. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.**

2030 Agenda for Sustainable Development

53. **The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.**

Dissemination

54. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, to enable their full implementation.**

Technical assistance

55. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

Ratification of other treaties

56. **The Committee notes that the adherence of the State party to the nine major international human rights instruments[1] would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto, the Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.**

Follow-up to the concluding observations

57. **The Committee regrets the State party's failure to submit information on the measures taken to implement the specific recommendations identified for immediate action in its previous concluding observations and requests the State party to provide, within two years, written information on the steps taken to**

[1] The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Convention on the Rights of Persons with Disabilities.

implement the recommendations contained in paragraphs 12 (a) and 12 (b), 38 and 46 (a) above.

Preparation of the next report

58. The Committee invites the State party to submit its fifth periodic report in November 2021. The report should be submitted on time and, in case of delay, cover the entire period up to the time of its submission.

59. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I).